

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO

NO. 17-BK-3283 (LTS)

As representative of

PROMESA TITLE III

THE COMMONWEALTH OF PUERTO RICO,
et al.,
Debtors.

(Jointly Administered)

**COMPLEMENTARY MOTION AS TO THE FEES AND EXPENSES INCURRED IN
RELATION TO LIFT OF STAY PROCEEDINGS RESULTING IN THE STIPULATION
AND ORDER GRANTING REMEDY TO PLAINTIFFS CLASS**

TO THE HONORABLE U.S. DISTRICT COURT JUDGE LAURA TAYLOR SWAIN:

COME NOW the certified Plaintiffs' Class in case Gladys García Rubiera, etc., v. Hon. Luis G. Fortuño, et al, Civil No. 02-1179 (GAG), and attorney Antonio J. Amadeo Murga as counsel, and respectfully submit a detailed statement of all work performed by subscribing attorney Antonio J. Amadeo Murga on behalf of Plaintiffs' Class to seek the lift from stay order to obtain remedy of reimbursement and payment of fees. We are hereby representing, under penalty of perjury, that the time incurred, and expenses paid are reasonable and pertinent to the remedy obtained and records were kept to reasonable reflect said work during the period January 2018 to the present month of July 2021. Furthermore, the hourly rate is consistent to what this counsel has been paid before for similar services in the present case. Services has been itemized by date, type of service, length of time.

Counsel has been an attorney for 62 years and has considerable experience in this honorable court. A CV is included. A rate of \$300 per hour is reasonable. *See, Navarro-Ayala v.*

Governor of Puerto Rico, 186 F. Supp. 128 (DPR 2016); Nelson v. Constant (E.D. La 2021) Civil Action No. 17-14581 – Easter District of La.

The issues litigated were not simple and required a lot of dedication of the part of subscribing attorney. Although accompanied by two other counsel, this attorney bore the 99% of the responsibility for litigating the case. Other counsel will not be filing a motion for attorney's fees.

The services were as follows:

WORK PERFORMED IN 2017-2018

DATE	SERVICE	TIME
Nov. 1, 2017	Reviewed Gladys García file to seek payment of installment due according to stipulation by filing a motion for lift of stay.	1 hour
Nov. 7, 2017	Drafted letter to counsel for Commonwealth seeking payment.	1 hour
Nov.16,2017	Reviewed answer of counsel for Commonwealth that there was a stay order and we had to proceed with the protocol.	1 hour
Jan. 24, 2018	Reviewed letter from counsel for Commonwealth denying payment	1 hour
Feb. 5, 2018	Research to file motion for lift of stay. Reviewed PROMESA statute and various sources to get picture.	3 hours
Feb. 6, 2018	Research and began drafting motion for lift of stay.	4 hours
Feb. 6, 2018 evening	Continued with research.	2 hours
Feb. 7, 2018	Drafted and filed Motion for Lift of Stay. Checked cases on Westlaw.	7 hours
Feb. 9, 2018	Reviewed order re: briefing of motion for stay and need to translate documents	1.5 hours
Feb. 15, 2018	Obtained and reviewed translation of document by translator. Filed motion in compliance.	2 hours
Feb. 16, 2018	Reviewed notice of proofs of claims	1 hour
Feb. 22, 2018	Received and studied objection filed by the Commonwealth. Have until Feb. 28 to answer. Began research of cases in favor.	5 hours
Feb. 26, 2018	Drafted and filed reply to objection re: our motion	4 hours
Mar. 10, 2018	Reviewed order directing supplemental briefing of Judge Taylor	1 hour
Mar. 12, 2018	Drafted motion requesting extension of time	1 hour
Mar. 20, 2018	Began working and researching to file memo	2.5 hours

Mar. 21, 2018	Concluded and filed memo	3 hours
Mar. 26, 2018	Reviewed supplemental brief filed by the Commonwealth	1 hour
Mar. 26-27, 2018	Worked on the reply to supplemental brief. Studied cases.	9 hours
Apr. 2, 2018	Studied reply by the Commonwealth	1.5 hours
Apr. 9, 2018	Reviewed Order and Memorandum by Judge Taylor Swaine	2 hours
Apr. 9, 2018	Drafted memorandum to file re: opinion in order to appeal	1 hour
	Drafted and filed Notice of Appeal. <u>Paid Fees \$500.00.</u> Dkt. 2897. Reviewed filing appeal in bankruptcy cases.	2 hours
May 1, 2018	Drafted motion to withdraw Rule 6. Motion.	1 hour
May 4, 2018	Filed motion	.50 hour
May 23, 2018	Reviewed case opening notice Boston to comply and follow procedure. Tried to get acquainted with electronic availability for filing.	3 hours
May 23, 2018	Reviewed general docket of the First Circuit Court	1 hour
	Filed Notice of Appearance	.50 hour
Jun 22, 2018	Reviewed Notice from the Court	.50 hour
Aug. 16, 2018	Drafted letter to Clerk re: failure of notification after reviewing file and making inquiries.	2 hours
Aug. 21, 2018	Received letter from Boston	.25 hour
Aug. 28, 2018	Sent again email letter to Clerk of Boston	.50 hour
Sep. 25, 2018	Drafted letter to Clerk	1 hour
Sep. 28, 2018	Reviewed answer received from the Clerk	.50 hour
TOTAL HOURS 2017-2018		68.25 hours
FEES PAID	For Appeal of Order	\$500.00
TOTAL EXPENSES 2017-2018	Fees paid for Appeal of Order	\$500.00

WORK PERFORMED IN 2019

DATE	SERVICE	TIME
Jan 20, 2019	Reviewed file of the case since there is no movement trying to expedite scheduling; explored alternatives	2 hours
Jan. 23, 2019	Drafted motion for expedited scheduling	3 hours
Jan 24, 2019	Reviewed appellants notice issued by the Circuit	2 hours
Jan. 25 2019	Reviewed order of the court of Jan 24, 2019, considering motion moot	.25 hour
Jan 26, 2019	Began working in case to prepare brief	4 hours
Jan. 28, 2019	Continued research to draft brief	5 hours
Jan. 31, 2019	Continued working on brief.	6 hours

Jan. 31, 2019	Continued working on brief re: trust created by law	6 hours
Feb. 1, 2019	Continued research	5 hours
Feb. 4, 2019	Prepared outline for brief. Began statement of facts.	5 hours
Feb. 6, 2019	Continued drafting brief	5 hours
Feb. 8, 2019	Worked on brief	5 hours
Feb. 9, 2019	Worked on brief	2 hours
Feb. 11, 2019	Continued working on brief	6 hours
Feb. 12, 2019	Continued working on brief. Prepared appendix	10 hours
Feb. __, 2019	Continued working on brief.	10 hours
Feb. 29, 2019	Reviewed order of the court	.25 hour
Apr. 1, 2019	Reviewed notice of appearance	.25 hour
Apr. 5, 2019	Received and studied brief for debtor appellee filed. Searched cases.	6 hours
Apr. 10, 2019	Began drafting reply brief	6 hours
Apr. 11, 2019	Finished draft and prepared to file it	4 hours
Apr. 29, 2019	Reviewed calendar in notice. Filed designation attorney to present case.	.50 hour
May 9, 2019	Reviewed order of the court	.25 hours
May 9, 2019	Reviewed motion for lift of stay filed by Mr. Barack	.25 hours
May 10, 2019	Made travel and accommodations reservations for Boston	1 hour
Jun 3, 2019	Flight to Boston (travel time)	6 hours
Jun 4, 2019	Prepared for hearing reviewing cases and possible questions	8 hours
Jun 5, 2019	Attended hearing and argued case	2 hours
Jun 18, 2019	Drafted letter to Margaret Carter re: Appellate Rule 28G	2 hours
Jun 26, 2019	Reviewed letter of Proskauer (Mrs. Hamilton)	1 hour
Sep. 16, 2019	Reviewed decision of the First Circuit. Consulted with counsel Oronoz to consider rehearing motion.	3 hours
Oct. 16, 2019	Reviewed mandate	.25 hour
Oct. 10, 2019	Considered petition for certiorari in light of letter by Mr. Gary Chyi, counsel press	1 hour
Oct. 13, 2019	Drafted with the assistance of Mr. Francisco Colón memorandum in support of request for lift of stay	4 hours
Oct. 14, 2019	Reviewed corrections made by Mr. Colón	1 hour
Oct. 15, 2019	Sent memo to counsel for defendant re: lift of stay	.50 hour
Oct. 17, 2019	Reviewed document from the Commonwealth Dkt. 8887	.50 hour
Oct. 18, 2021	Reviewed and filed memorandum in support of request for lift of stay	4 hours
Oct. 24, 2019	Discussion with co-counsel re: joint stipulation that may be filed with the defendant	2 hours
Oct. 29, 2019	Consultation with co-counsel re: communication of Proskauer	1 hour
Oct. 31, 2019	Drafted communication to defendants	.50 hour
Nov. 7, 2019	Telephone call with Mr. Hernann Bauer	.25 hour
Nov. 14, 2019	Reviewed letter of Nov. 13, 2019, from Proskauer	.25 hour
Dec. 2, 2019	Reviewed draft of informative motion from Mr. Hermann Bauer	.50 hour

Dec. 13, 2019	Reviewed motion from Mr. Steve Ma re: stipulation	1.5 hour
TOTAL HOURS 2019		133.50 hours
EXPENSES	Brief Inv. 798096 Dated Mar. 1, 2019	\$451.58
	Reply Brief Inv.	\$256.90
	Plane Ticket to Boston	\$348.60
	Transportation expenses in Boston	\$25.00
Jun 3-5, 2019	Stay at Hyatt Regency Boston Harbor	\$704.00
TOTAL EXPENSES 2019		\$1,786.08

WORK PERFORMED IN 2020

DATE	SERVICE	TIME
Jan 9, 2020	Reviewed email from Mr. Steve Ma	.25 hour
Jan. 21, 2020	Reviewed email from Mr. Steve Ma enclosing Informative Motion	.50 hour
Feb 25, 2020	Reviewed email from Mr. Steve Ma enclosing documents	.50 hour
Apr. 14, 2020	Drafted letter to Mr. Steve Ma	.50 hour
May 13, 2020	Reviewed motion sent by Mr. Hermann Bauer	.50 hour
Oct 13, 2020	Reviewed draft of stipulation sent by Mr. Steve Ma re: stipulation resolving motion	2 hours
Oct. 16, 2020	Reviewed stipulation filed with documents	.50 hour
Oct. 16, 2020	Reviewed informative motion	.25 hour
Oct. 19, 2020	Reviewed email from Mr. Steve Ma	.25 hour
Nov. 17, 2020	Reviewed and studied motion and stipulations filed Dkt. 15171 to resolve the issued pending	2 hours
Nov. 25, 2020	Reviewed email from Mr. Steve Ma	.25 hour
Nov. 25, 2020	Received, reviewed and prepared to file opposition to limited objection by Official Committee of Unsecured Creditors	3 hours
Dec. 1, 2020	Reviewed email from Sr. Steve Ma	.25 hour
Dec. 2, 2020	Drafted and answer reply to objection by the Official Committee of Unsecured Creditors	4 hours
Dec. 4, 2020	Reviewed reply by Proskauer to the objection by the Official Committee of Unsecured creditors	1 hour
Dec 4, 2020	Reviewed informative motion filed by Proskauer	.50 hour
Dec. 7, 2020	Reviewed notice of agenda for December 9	.50 hour
Dec. 9, 2020	Attended telephone hearing	.50 hour
Dec. 16, 2020	Reviewed joint report filed by the Commonwealth	1 hour
TOTAL HOURS 2020		17.75 hours

WORK PERFORMED IN 2021

DATE	SERVICE	TIME
July 1, 2021	Reviewed 345 th Objection to proofs of claim filed by Proskauer and Drafted memo to co-counsel Oronoz	2 hours
Jul. 2, 2021	Reviewed memo from Mr. Oronoz	.25 hour
Jul 9, 2021	Drafted email to Mr. Hermann Bauer re: objections to proofs of claim	.50 hour
Jul 12, 2021	Reviewed email from Mr. Hermann Bauer	.25 hour
Jul 14, 2021	Research on equitable estoppel. Drafted Protective Reply of Objection to Proofs of Claim. Sent draft to Mr. Hermann Bauer.	7 hours
Jul 19, 2021	Reviewed email from Ms. Miranda Grajales	.25 hours
Jul 20, 2021	Email to Ms. Miranda Grajales. Reviewed documents sent by her. (Dkt. Nos. 17185 and 17186)	1 hour
Jul 21, 2021	Drafted motion requesting notification after discussing with Mr. Oronoz.	3 hours
Jul 22, 2021	Telephone calls to Mr. Bauer and Mr. Colón. Reviewed docket. Drafted motion for attorney's fees.	5 hours
Jul 23, 2021	Corrected draft of motions for attorney's fees and researched cases	4 hours
TOTAL HOURS 2021		23.25 hours

TOTAL HOURS

2017-2018		68.25
2019		133.50
2020		17.75
2021		23.25
TOTAL HRS		242.75
AMOUNT	@ \$300/per hr	\$72,825.00

TOTAL FEES AND EXPENSES

2017-2018	Fees	\$ 500.00
2019	Expenses	\$1,786.08
AMOUNT		\$2,286.08

WHEREFORE, it is respectfully requested that the amount of \$75,111.08 in fees and expenses be awarded to counsel Antonio J. Amadeo Murga.

RESPECTFULLY SUBMITTED

CERTIFICATE OF SERVICE

I hereby certify that, on July 27, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record and parties in the Master Service List.

In San Juan, Puerto Rico, July 27, 2021.

s/Antonio J. Amadeo Murga
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